

# **CAMBRIDGESHIRE POLICE AUTHORITY: MINUTES**

**Date:** Wednesday 18<sup>th</sup> February 2009

**Time:** 4.05 pm until 5.50 pm

**Location:** Conference Rooms 1 and 2, Police Headquarters, Huntingdon

**Present:**

**Members:** Mr Keith Walters - Chairman  
Mr Ansar Ali  
Mrs Judy Broadway  
Mr Nick Clarke  
Mr Benjamyn Damazer  
Ms Ruth Joyce  
Mrs Olive Main  
Mr John Reynolds  
Ms Ruth Rogers  
Mr Kevin Wilkins  
Mrs Jayne Wright

**Executive Team:** Dr Dorothy Gregson, Chief Executive  
Mr John Hummersone, Treasurer  
Mr Bob Toland, Research and Policy Manager  
Miss Jackie Chapman, Committee and Support Services Officer  
Miss Anna Turner, Media and Communications Officer

**Constabulary:** Deputy Chief Constable John Feavoyour  
Mrs Penny Sills, Director of People  
Mrs Rachel Beckett, HR Manager  
Mrs Jane Gibson, HR Advisor

**Other Attendees:** Three Members of the Public

**1. To note any apologies**

Apologies for absence were received from Mr Ian Bates, Mr Zahid Hussain, Ms Shona Johnstone, Mr Victor Lucas, Mr David Sanders and Ms Nic Williams.

**2. To note any Declarations of Interest – and any updates to the register of Member's interests**

None were declared.

**3. Questions and Statements from Members of the Public**

The Chairman and Chief Executive presented the following questions, and Police Authority response which had been received from two Members of the Public, in relation to the Police Officer Injury Pension Review process.

**Question 1 – received from Mr Gordon Smith**

*“I ask that a sub-committee be formed from Cambridgeshire Police Authority to investigate further into the Injury Award Review and the way it is being carried out”.*

*“To look at the disgraceful and dishonest way it is being carried out, in some cases using sharp practice and unlawful behaviour”.*

*“That the sub-committee include meeting with severely injured retired officers including myself, before the Injury Award Review is implemented any further.”*

**Response read out by the Chairman of the Police Authority**

The Human Resources and Training Panel scrutinises and reviews the Injury Award policy. The Human Resources and Training Panel reports directly to the full Police Authority and much of the scrutiny has been undertaken at this level.

In October 2008 the Police Authority asked the Human Resources Department to commission an independent review of the Injury Award Policy and Procedure and associated practices. In response to this request in November 2008 a member of the Home Office Police Personnel Unit undertook a desktop review. Recommendations were made by the Home Office and amendments were made to the procedure and associated practices based upon feedback received. This resulted in the development of Version 7 of the Injury Award Procedure. This new procedure has been shared with the National Association of Retired Police Officers and the Police Federation.

We therefore believe it is not necessary to create another sub-committee as proposed in your question.

**Question 2 – received from Mr Eddie Hopkin (for and behalf of his wife)**

*“Exactly when did the Police Authority first become aware of, and decide upon, the likelihood of including age related changes to the long standing and previously accepted IOD review procedures (which were subsequently initiated on 1<sup>st</sup> January 2008) and why was written notice not given immediately at that time to each person in receipt of such a pension to explain fully the implications of the intended changes and obvious financial reductions?”*

**Response read out by the Chairman of the Police Authority**

The Cambridgeshire Constabulary Injury Award Policy and Procedure was not implemented until January 2008. This late date was in part due to the considerable consultation with legal advisors, the Home Office, the Police Federation and NARPO. Such significant consultation was necessary because the potential impact of this procedure on former Officers was likely to be significant and the intent of Cambridgeshire Constabulary and Cambridgeshire Police Authority was to ensure that the final policy and procedure was legally and morally defensible.

Consultation activities delayed the implementation of the Police (Injury Benefit) Regulations 2006 and the Home Office Circular 46/2004 at Cambridgeshire Constabulary.

Some reviews were carried out on an add hoc basis some years ago but those lapsed. Although this is disappointing we do not believe that these administrative shortcomings equate to a failure in a duty of care, maladministration or negligence. We say this because we are of the view that should any pensioner have felt that their condition had worsened to the point that they required reassessment the Constabulary would certainly have responded and reviewed any application from an individual in these circumstances.

All former Officers affected were written to in January 2008 when Cambridgeshire Police Authority implemented the policy and procedure in line with the Police Injury Benefit Regulations 2006 and Home Office Circular 46/2004. These are applicable to **all** retired Officers in receipt of an Injury Award.

There is a duty imposed on the part of the Police Authority to review injury pensions in light of the new Police (Injury Benefits) Regulations 2006 ('2006 Regs'), the Police Pensions Regulations 1987 ('1987 Regs') and the 2004 Home Office Circular, setting out the Authority's duty to undertake such reviews. There is a provision in reg 37(1) which imposes a duty on Police Authorities to review and consider if a person's disablement has altered, and whether or not the person's pension shall be revised accordingly at appropriate intervals (e.g., Compulsory Retirement Age, State Retirement Age).

The fact remains that we have a duty to review, we will review, we will follow the realistic process we have carefully designed, and we will abide by the Regulations and Guidance in the very best way that we can. Those are our motives, which do not include saving money, appointing professionals who may be unreliable in some way, or to cause stress and anxiety for those in receipt of such awards. It is very regrettable that historical omissions and lapses are now producing unwelcome and upsetting consequences. However, having checked the issue of retrospection I am clear that the duty to review is exactly that, a duty. The organisation must not fail now by not meeting its obligation and its duty to review injury awards following the implementation of the 2006 Regulations and the Home Office circular 46/2004".

Three representatives from the National Association of Retired Police Officers thanked the Authority for their attention, and took the opportunity to re-iterate their concerns. These related to:-

- The Home Office circular of 2004. The Authority was reminded that it was not until 2008 that retired Officers were informed of the potential financial implications, following a review.
- The Police Authority and Constabulary's duty to conduct a review, under Police (Injury Benefit) 1987 and 2006.

The Authority acknowledged the concerns raised and assured NARPO that these would be fully considered by the Authority at agenda item 7. The Authority thanked NARPO for attending the meeting.

4. **Any Other Items of Business that the Chairman decides should be considered as a matter of urgency pursuant to Section 100(B) (4) (b) of the Local Government Act 1972**

None were declared.

5. **Exclusion of the public**

To pass a resolution that under Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in clause 3 of Part 1 of the Revised Schedule 12A to the Act, provided by the Local Government (Access to Information)(Variation) Order 2006.

6. **Custody Collaboration with Norfolk Constabulary**

The Authority received a report relating to Custody Collaboration with Norfolk Constabulary.

***THE AUTHORITY RESOLVED:***

***(i) To note the report and the agreed course of action.***

7. **Injury Awards Review**

The Authority considered a report regarding the ongoing Injury Awards Review.

***THE AUTHORITY RESOLVED:***

***(i) To note the report and the agreed course of action.***

8. **Date of the next meeting**

It was noted that the next meeting of the full Police Authority would be the AGM held on **Monday 29<sup>th</sup> June 2009** at **4.00 pm** at Police Headquarters, Huntingdon.

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**CHAIRMAN**